

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

| | | |
|---|---|---------------------------------|
| PAULINE DANKO and MARK DANKO, | : | |
| Individually and on behalf of all others | : | |
| similarly situated | : | |
| Plaintiffs, | : | |
| | : | |
| v. | : | CIVIL ACTION NO. 16-1235 |
| | : | |
| NATIONAL RAILROAD PASSENGER | : | |
| CORPORATION | : | |
| Defendant. | : | |

ORDER

AND NOW, this 10th day of February 2017, upon consideration of the Motion to Dismiss [Doc. No. 8] and the response and reply thereto, it is hereby **ORDERED** that the Motion is **GRANTED in part and DENIED in part** as set forth in the accompanying memorandum opinion. It is further **ORDERED** that Defendant shall file its answer to the Complaint within 14 days of the date of this Order.

It is so **ORDERED**.

BY THE COURT:

/s/Cynthia M. Rufe

CYNTHIA M. RUFÉ, J.